IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 4TH DECEMBER 2006 / 13TH AGRAHAYANA 1928

WP(C).No. 26160 of 2006(L)

PETITIONER:

G.RAMACHANDRAN, KOVIL VILA VEEDU,
TC 22/1618, PEROORKKADA, TRIVANDRUM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.DILEEP P.PILLAI
SMT.LAKSHMI.N.KAIMAL
SRI.T.K.SUJITH

RESPONDENTS:

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1. THE DEPUTY GENERAL MANAGER,(URBAN-BSNL),
PLAMOODU, THIRUVANANTHAPURAM.

2. THE PRINCIPAL DISTRICT MANAGER(BSNL),
STATUE, THIRUVANANTHAPURAM.

3. THE DEPUTY GENERAL MANAGER(ACCOUNTS-BSNL
PATTOM, THIRUVANANTHAPURAM.

4. THE DEPUTY GENERAL MANAGER (TR),
LIC BUILDING, PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.VARGHESE P.THOMAS, SC, BSNL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.26160 of 2006

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Dated this the 4th day of December, 2006.

JUDGMENT

The petitioner's two telephone connections are disconnected on account of arrears in respect of another telephone subscribed by him which was disconnected in the year 2001. Even though petitioner's case is that petitioner was not served with notices, it is seen from documents produced by BSNL that petitioner was given sufficient notice and he refused to pay the arrears. I do not find any justification to order restoration of phone connections without clearing the arrears. However, since petitioner has requested for instalment facility, W.P. is disposed of directing BSNL to restore the two telephones on petitioner remitting rupees three thousand towards arrears for the telephone that was disconnected in 2001 (telephone No.2439457). The petitioner will clear the balance arrears in three equal monthly instalments, first of which will be paid on or before 31.1.2007 and the balance on or before the last day of the two months succeeding thereafter. If petitioner commits default in payment of any instalment, the respondents can forthwith disconnect both the telephones and proceed for recovery. Along with arrears, the petitioner will pay interest at the rate of 9% per annum for belated payment.

C.N.RAMACHANDRAN NAIR
Judge

pms